

EXHIBIT 5

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION JUDICIAL DISTRICT

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)
COMPLETE ENTERTAINMENT RESOURCES)
LLC, d/b/a Songkick,)

Plaintiff,)
)

vs.)

Case No.)

2:15-CV-09814)

LIVE NATION ENTERTAINMENT INC.,)
TICKETMASTER LLC,)

Defendants.)
-----)

TICKETMASTER LLC,)

Counter Claimant,)
)

vs.)

COMPLETE ENTERTAINMENT RESOURCES)
LLC, d/b/a Songkick,)

Counter Defendant.)
-----)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF STEPHEN MEAD
New York, New York
January 13, 2017

Reported by: BONNIE PRUSZYNSKI, RMR, RPR, CLR
JOB NO. 117195

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1 compete with CrowdSurge? 01:35

2 A. Again, that is incorrect.

3 Q. Okay. All right. So, to your
4 knowledge, Ticketmaster does not compete with
5 CrowdSurge? 01:35

6 A. Ticketmaster has an artist services
7 and has had an artist services division for a
8 number of years, and they work in conjunction
9 with Ticketmaster venues, which the venues
10 have a commodity in the tickets, which they 01:35
11 contract Ticketmaster to sell those tickets
12 for. And artist services historically has
13 worked with artists touring through
14 Ticketmaster venues to assist them in taking
15 advantage of a number of marketing tools and 01:35
16 support that Ticketmaster can give an artist
17 when touring to increase ticket sales.

18 Ticketmaster Artist Services
19 existed way before my prior company Trinity
20 Street or CrowdSurge or Songkick. 01:35

21 Q. And Ticketmaster Artist Services
22 competes with CrowdSurge for the sale of
23 artist presale services; is that right?

24 A. No. That is incorrect.

25 Q. So, the OnTour part of artist 01:36

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1 object to the motion to strike and the 01:38
2 characterization of his prior answer as a
3 speech.

4 Can you read the question again so
5 Mr. Mead knows what it is, please. 01:38

6 (Record read.)

7 A. If an artist has a compliant fan
8 club policy, Ticketmaster will take under
9 consideration the request and either allow it
10 to run off platform, or they will handle it 01:39
11 on platform on behalf of the artist.

12 Q. Well, it's a fact, isn't it, that
13 Ticketmaster does consider CrowdSurge a
14 competitor, and this lawsuit occurred because
15 you decided to try to cut them off at their 01:39
16 knees?

17 MR. O'MARA: Objection,
18 argumentative. Assumes facts not in
19 evidence.

20 A. Can you state that question again. 01:39

21 MR. LORIG: Please.

22 (Record read.)

23 MR. O'MARA: Also, vague and
24 ambiguous as to "you." It calls for
25 speculation as to why Songkick, the 01:39

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1 plaintiff in this case, filed a lawsuit, 01:40
2 which this witness is obviously not privy
3 to.

4 Q. I still would like an answer to my
5 question. 01:40

6 A. Songkick is not a competitor. They
7 do not bid for exclusive rights to venues.
8 Therefore, they have to adhere to policies
9 put in place by primary rights owners, ticket
10 rights owners. 01:40

11 MR. LORIG: I would like to ask the
12 reporter to mark as -- what are we up to?
13 26. As 26, a document machine numbered
14 TM007535. It's dated 11/15/2013. It's
15 addressed by Stephen Mead to Matt Shearer 01:40
16 and Zeeshan Zaidi.

17 (Exhibit 26, TM00075353-354 marked
18 for identification, as of this date.)

19 Q. And do you recognize Exhibit 26 as
20 a document you wrote? 01:41

21 A. I recognize the document.

22 Q. And this document, which is dated
23 11/15/2013, this is shortly after you joined
24 Ticketmaster; correct?

25 A. 11/15/2013? That was TicketWeb. 01:42

C E R T I F I C A T E

STATE OF NEW YORK)
: SS.
COUNTY OF NEW YORK)

I, BONNIE PRUSZYNSKI, a Notary
Public with and for the State of New York,
do hereby certify:

That STEPHEN MEAD, the witness
whose deposition is hereinbefore set forth,
was duly sworn by me and that such deposition
is a true record of the testimony given by
the witness.

I further certify that I am not related
to any of the parties to this action by
blood or marriage, and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 17th of January, 2017.

Bonnie Pruszyński

I N D E X